

# **CAMDEN RIVERWALK, Phase I**

## **Issues and Responses**

### **OVERVIEW**

With the Camden Riverwalk trail, the community has a perfect opportunity and location in which to create something that is unavailable elsewhere in Camden: a pathway through a beautiful natural riverside area along the Megunticook River in central Camden that is accessible to a broad residential population and to people who are mobility-challenged.

The Riverwalk will provide a welcoming respite for walkers in a quiet natural area, as well as a welcoming and healthful pathway for exercise: walking or jogging in summer, skiing and snow-shoeing in winter.

It will serve as a connection between two of Camden's commercial districts, beckoning users to commute by foot from one to another – without climbing hills. Places to purchase refreshment provide appealing goals at each end.

It will enhance our sense of community and our quality of life as we greet our neighbors and walk our dogs in this relaxed setting.

It will provide a safe route to school, away from roads, for middle school children walking or biking to school. It will enable teachers to bring their students to the river to study the riverine ecosystem there.

It will enhance property values and potentially increase property tax revenues thereby.

Communities that create such trails through their communities and natural areas have experienced such benefits, and more.

This will be the first place within Camden's boundaries where the mobility-challenged can enjoy natural woodland and riverine scenery (the closest natural ADA wheelchair-accessible trail in a natural area is the Trees Trail in Tanglewood (Lincolnton), a 25 minute drive away). Most of us who are physically able have a truly vast array of possibilities for hiking in a natural environment. This natural wooded riverside path, located in a nearby, accessible, high-density, in-town location, is a unique opportunity for a very special trail indeed.

Megunticook River is stocked annually with brown trout, providing fishing opportunities; a beaver dam slows the flow along the river and muskrats, ducks, geese and heron inhabit its waters. Turnouts will be created which will provide fine fishing and river wildlife viewing spots.

Boardwalk sections will be hand-built in boggy sections. They will provide access to otherwise inaccessible water habitat while minimizing impact on the natural areas.

A footbridge will be constructed so the Riverwalk can cross the stream and progress along the Middle School and Wastewater Treatment Plant properties.

Picnic tables, trash cans and "mutt mit" dispensers will be placed along the path as appropriate.

The Camden-Rockport Pathways Committee is committed to helping bring this vision to fruition, by working with property owners, moving the project forward in steps, and collaborating with the various entities who are or would be involved, including community members, relevant Town committees, departments and staff including the Economic Development Director, the Select Board, relevant State departments, granting agencies, surveyors and engineers.

The Tannery path is the first portion of a vision, expressed in the Comprehensive Plan, of a riverwalk along the Megunticook River from downtown to Shirttail Park. This vision will likely take many many years to implement, but we should not be daunted by the length of time it may take to complete the entire puzzle; it is important to take the long view, and take advantage of every piece of the puzzle that becomes possible, while keeping the entire picture in mind. The tannery lot, with its easy public access at each end, is an excellent beginning to this important community asset.

**(INSERT PROPOSED CAMDEN RIVERWALK ALIGNMENT MAP HERE)**

DRAFT

**What is the alignment of the proposed Camden Riverwalk, Phase I?**

The path begins at Washington Street (across the street from the intersection of Gould St.) and follows the Megunticook River to Knowlton Street.

The **length** of this section is **approximately** 4,500 feet, or **0.85 mile**. Trail segments are numbered below:

Segment #	Description	Feet of River Frontage	Ownership; Public Access Status	GIS Tax Ref: Map/Lot; St. Add.
(1)	Along the “ <u>Tannery Site</u> ” lot, on the NE bank of the river, to Rawson Avenue, across the Megunticook River on the north side of Rawson Avenue (where the existing bridge has a pedestrian segment incorporated into its width), and crosses Rawson Avenue on the west end of the bridge.	911’	Public	114/18 116 Wash St.
(2)	Along riverbank (SW side of the river) on <u>65 Rawson Avenue</u> property, for approximately 320 feet.  <i>This property is currently for sale. Asking price for 1 acre property with house &amp;, outbuildings \$249,000. Listed by Martin Cates Real Estate.</i>	320’	Private; For Sale; unsure of willingness	114/10 65 Rawson Ave.
(3)	Along riverside and over wetlands for approximately 750 feet, on <u>5.5 acre undeveloped lot</u> .  <i>Privately owned.</i>  A feeder trail comes into the trail at this point from Rawson Avenue between #41 and #27.	750’	Private  Riverside trail will be accessed via bridge from Middle School property (Owner access to this lot is betw #41 and #35 Rawson)	115/112 ~37 Rawson Ave.
(3a)	<i>Easement for Feeder trail from riverside trail to lot 114 at Rawson, along southern edge of 5 acre parcel (lot 112) where it abuts northern edge of lot 115, requires further negotiation with landowners.</i>	[370’]	Public, Town of Camden  Lot lies betw. #27 & #35 Rawson.	115/114 ~31 Rawson Ave.
(4)	<u>Footbridge across the river</u> from the # (3) segment over to the Middle School property on Knowlton Street.  <i>There is a 300 foot overlap between</i>	150’  [287’]	Access for bridge dependent upon (3) access  Public (SAD 28)	

(4a)	<i>the above-mentioned land and the Middle School property.</i>  A feeder trail connects to the school building.			
(5)	Along the river on the <u>Middle School property</u> , up to the Camden Town-Owned Wastewater Treatment Plant property.	588'	Public (SAD 28); Board approves concept	120/59 22 Knowlton St.
(6)	Along the <u>Wastewater Treatment Plant property</u> , and continuing on the small wedge between the river and the Lion's Club	1,390'	Public, town of Camden (WW Dept. Sup't Parker approves concept, provided security is in place)	120/53 20 Lions Lane
(7)	<u>Connects to Knowlton Avenue</u> via 51 Mechanic St. property.  <i>Lot is across the river (N. side) and dam from Camden Hills Villa (51 Mechanic St.). Owner, Joseph Goudreau.</i>	402'	Private, "Camden Hills Villa" senior assisted living facility property Owner may be amenable to easement	120/46 4 Knowlton St.
	<b><u>Total approximate Riverwalk Phase I length (not including [feeder trails]:</u></b>	<b>4511'</b>		

The connector to Knowlton St. completes this Phase I, 0.85 mile (appx 4,500 ft.) public pathway segment, from public access point to public access point.

Potential exists for connection directly to Lions Lane from Wastewater Treatment plant; connection to Knowlton along the river (via Camden Hills Villa property) not necessary to complete public access to the rest of the trail.

For the pathway to cross Knowlton and continue along portions of the river, on to Washington Street, would depend upon interest and easement participation by Knox Mill Condominiums property owners. Access through this property is also not necessary for the success of the Riverwalk; walkers can utilize existing sidewalks in this area between Knowlton St. and the River District.

**INSERT SATELLITE IMAGE, REGION OF SEGMENTS #1-5 HERE**

DRAFT

### **What barriers exist to securing easements for Phase I?**

There is only one known barrier to securing easements for the 4,500' length of Phase I Riverwalk: Property #2.

- Property (1) – Tannery parcel - Easement and access has been **secured** by Camden voters.
- Property (2) is privately owned and currently for sale, listed at \$249,000 by Martin Cates Real Estate. It is a 1 acre, unwooded residential property with a small house, barn and commercial building. It has been listed under various realtors since the summer of 2008 (i.e. for 4 years or more), at which time it was listed for \$349,000. It contains 285 feet of river frontage. **Owner may not be amenable to providing a public-access easement** prior to sale. One approach is to purchase property in order to secure the easement, then re-sell with easement in place.
- Property (3) is privately owned. It is a 5 ½ acre wooded parcel of undeveloped land with approximately 800 feet of river frontage, much of it boggy. An easement would be needed along this property. The owners appear **amenable to providing a public access easement along the river portions**, especially since this area cannot be built upon. The owner, a real estate broker with Camden Real Estate, was formerly a member of the Camden-Rockport Pathways Committee and was in discussion with the prior owner of this property regarding creating a public access easement here for the pathway, before she and her husband purchased the land. Their present plans are to subdivide into 2 building lots.
- Property (5), The Middle School property, is owned by the SAD28 School District. The SAD28 School Board has **voted its approval** of the public pathway concept along the river.
- Property (6), The Wastewater Treatment Plant property, is owned by the Town of Camden. Wastewater Superintendant Ross Parker has **indicated his willingness** to work with the Pathways Committee in providing public access, provided the WW Plant can be made secure from public access with appropriate fencing.
- Property (7), the Camden Hills Villa senior assisted living facility property, owns this strip, which lies across the river from their building. Property owner Joseph Goudreau has **expressed an interest in providing support** for a public access path on this portion.
- Lions Lane and Knowlton Street are public roads. Knowlton Street connects to Mechanic Street which continues into town. Both Knowlton and Mechanic have sidewalks.

The Pathways Committee is continuing to work on acquiring written commitments from property owners who have indicated their willingness to provide easements, so that grant applications may proceed for survey and engineering work on those portions.

**Is there support in Camden for the Camden Riverwalk?**

Camden voters have consistently shown support for public pathways, public access and conserved lands through public votes and surveys. They have voted to invest taxpayer money in conservation and public access. There is ample evidence that the Camden voters would strongly support the proposed pathway and would support expending some public funds for it:

- **The Camden Downtown Master Plan**, April 2012, states as an “Action Item – Implement the first phase of the **River Walk Project** between the Tannery site and the downtown, as designed by others. Budget: \$30K, See TIF.”
- The **Camden Comprehensive Plan**, approved by Camden voters on June 14, 2005, includes the following support for a riverside path:
  - (1) Chapter 21, Capital Improvements, p.21-4: “A 5,600 foot gravel **pathway along the Megunticook River** is estimated to cost \$250,000. This is a Priority 3 and would be funded through property taxes and State/Federal grants.” An addendum shows the approximate location of the trail along the river.
  - (2) Chapter 17, “Goals, Policies and Implementation,” p. 17-12, #8, “Megunticook River Watershed”: “**The Town should consider acquisitions**, as opportunities arise, **to enhance public access to the lake and river** for non-motorized recreation, including sightseeing, walking, picnicking, and similar activities. **Responsibility: Select Board, Conservation Commission; Timeframe: Ongoing.**”
- **The Camden Downtown TIF** (*Town of Camden Downtown Municipal Development and Tax Increment Financing District*) Investment Plan proposes (page 7, Project #2) “**Construction of a riverwalk along the Megunticook River** running between the Tannery site and the downtown... This will further strengthen pedestrian networks throughout the downtown, supporting both the tourist industry as well as providing a unique resident amenity.”
  - **The Camden Business Highway TIF** (*Town of Camden Business Highway Municipal Development and Tax Increment Financing District*) Investment Plan allows for 25% (\$100,000) of the funds from that TIF to assist funding Downtown TIF projects.
- **Citizens voted** on June 11, 2008, **71%** in favor of reserving for **public access** a 25’ strip b at the **Tannery Site**.
  - Citizens voted on November 4, 2008, 70% in favor of reserving for public access the same 25’ strip along the Megunticook River and placing the easement in third party hands.
- **Citizens have responded favorably to polls and questionnaires** regarding public pathways. Results of a **Survey** conducted by the **Camden-Rockport Pathways Committee** in 2002, and presented to the Camden Select Board on June 9, 2002, yielded the following data:
  - To the question, “Would you be supportive of a new pedestrian/bicycle pathway that provides safe connection between Megunticook Lake and Downtown

Camden?”, **63%** of the Camden respondents answered “Supportive” or “Very Supportive” whereas 11% responded “Not supportive.”

- To the request, “Please rank the above routes in terms of their importance to you,” of the seven routes listed, Camden residents ranked the “Megunticook to Camden” route, on average, as the most important.
- Designation of Camden as a **Maine Downtown Network Community** (July 2012) by the *Maine Development Foundation* (<http://www.mdf.org>), demonstrates the Town’s commitment to work towards the goals of an MDNC.
  - One of the 13 specified Design goals of a MDN Community is “Sidewalks and Trails, easy to find and access connections to rail / river trails.”
- **Voters have demonstrated their willingness to use taxpayer funds** to subsidize purchase or improvements **on natural and recreational areas**:
  - Citizens voted in favor of purchasing 5.5 acres next to the Town Bog off Park St., at a cost of \$75,000 (June 12, 2007, 62% in favor). This land is not accessible to the public; one can only approach it and stand on the edge. There are no paths.
  - Citizens passed an advisory vote indicating support favoring the Town borrowing up to \$2.0 million to fund improvements at the Ragged Mountain Recreation Area (Nov. 4, 2008, 61.5% in favor).
  - Citizens voted in favor of purchasing, for \$25,000, a “Perpetual Seasonal Easement” on a 1.16 acre property across from Bog Bridge boat landing on Lake Megunticook, which provides annual seasonal public parking rights for 3 ½ summer months/year. (*Special Town Meeting September 1, 2009*). Securing rights for this parking area enabled the Town to qualify for a grant to reconstruct the Bog Bridge boat landing.

In considering the above votes and amounts, as well as the degree of public use (or minimal use) of those parcels, one can see that voters are extremely likely to support funding towards the creation of a public pathway that can be used by everyone on a daily basis, right in town.

- **Riverwalk Coalition:**

In May 2010, the Town, recognizing the varied interests in development of a Riverwalk, formed a special Coalition to undertake the actual development of the pathway. The Riverwalk Coalition consists of members from the following Town Committees and Friends:

  - Camden Parks and Recreation Committee
  - Camden Conservation Commission
  - Camden/Rockport Pathways Committee
  - Coastal Mountains Land Trust, and
  - Citizens for Megunticook Riverwalk

Directed by the Select Board, this Coalition, driven by varied interests, has successfully shepherded a six-month process facilitating community input on the Riverwalk (Phase I, Section 1). To date the Coalition has spent 100 volunteer hours clearing trash and invasives



along the corridor and coordinated multiple public hearings on Riverwalk design and purpose.

- With our recent designation as a Downtown Network Community, there has been interest expressed in Camden's also being a participating community in *Maine Development Foundation's* "Green Downtowns!" Program. One of this program's 8 principles is "Active Transportation: Walking trails, bike paths, and shared autos."

As with every issue that goes before the citizenry, there will always be those in favor and those not in favor. Although this issue would be no exception, the historical response of the citizenry to this type of access has been favorable by the majority of voters.

### **What citizens might object to a riverside pathway from Rawson Avenue near Washington Street to Knowlton Street?**

There are two private residences within close view of the proposed path at Rawson Avenue:

- One (65 Rawson Avenue) is for sale.
- The other (67 Rawson Avenue) is directly across the river from that property, and would be able to view the path from that home on the other side of the river.

Further downriver, two houses on Rawson Avenue (#21, #17), across the river from the path trajectory and about 120' up the hill on the opposite bank, are in sight of the proposed pathway. There are no other residences or businesses in view of the proposed pathway, the houses lying too far from and/or on the opposite side of the river.

### **What effect will the Riverwalk have on property values?**

"Studies in various parts of the United States seem to show that concerns about trails lowering property values and increasing crime are unfounded. In fact, trails have consistently been shown to increase (or have no effect on) property values, to have no measurable effect on public safety, and to have an overwhelming positive influence on the quality of life for trail neighbors as well as the larger community." *National Trails Training Partnership, Trail Effects on Neighborhoods*; <http://www.americantrails.org/resources>

- An extensive study of property values and public safety was undertaken by *The Conservation Fund and Colorado State Parks*, State Trails Program in 1995, "to determine what effect, if any, the presence of urban trails has had on public safety to property owners who live adjacent to a trail and on property owners who live within one block of a trail. The study also evaluated the level of public acceptance for urban trails and their effect on the quality of life in these neighborhoods." The study was conducted re. three urban trails in Denver, with interviews conducted of residents, real estate agents & patrol officers, and newspaper surveys.
  - The results showed that "urban trails are regarded as an amenity that helps to attract buyers and to sell property (57% of the residents felt that the trail would make the home easier to sell; 57% of those residents had lived in their homes prior to construction of the trail. 73% of the real estate agents believed that a home adjacent to a trail would be easier to sell, and 55% agreed that the home would sell for more than a comparable home from a different neighborhood; 82% of the real estate agents used the trail as a selling point.)" No public safety issues could be directly linked to the trails.

- “The Impact of the Brush Creek Trail on Property Values and Crime – Santa Rosa, CA, Michelle Miller Murphy, Sonoma State University (1992). Survey of 75 residents along trail, plus interviews with apartment and mobile home park managers, real estate agents, law enforcement agencies; 15 other cities were contacted for information re. effect of trails on property values and crime.
  - 64% of respondents felt the trail increased the quality of life in the neighborhood, with another 13% saying “no effect.”
  - 33% said the trail would make their home easier to sell, with 49% saying “no effect.”
  - 23% said the trail would make their home sell for more, with 69% saying “no effect.”

Of real estate agents:

- 19% said homes next to a public trail would sell for slightly more, with another 48% saying “no effect.”
- 61% of real estate agents said they use proximity to trails as selling points.

The law enforcement agencies had no data to determine crime statistics. Survey results from 15 other cities showed only a small number of minor infractions including illegal motorized use of the trail, litter, and unleashed pets.

“The most overwhelming opinion by residents along Brush Creek Trail is that the trail/creek has a positive effect on the quality of life in the neighborhood.”

- “A 1978 study of property values in Boulder, Colorado noted that housing prices declined an average of \$4.20 for each foot of distance **from** a greenbelt up to 3,200 feet. In one neighborhood, this figure was \$10.20 for each foot of distance [*away from the greenbelt*]. The study determined that, other variables being equal, the average value of property adjacent to the greenbelt would be 32% higher than those 3200 feet away.” In this study, the increase in property values resulting from the greenbelt proximity provided increased property tax revenues, which played a major role in offsetting the trail’s initial costs.  
*Economic Impacts of Protecting Rivers, Trails, and Greenway Corridors: A Resource Book (1990), Rivers and Trails Conservation Assistance, National Park Service*

### **Issues Relevant to Trail Development Along the River**

#### **Zoning:**

- Segments 2 and 3 zoned “**Village**,” “**Low Impact Use**” (within 500’ of a business district: B-4 and BR)
- Falls within “**Shoreland Zoning**” (within 250ft of normal high-water line of a ... river or ...upland edge of freshwater wetland....).
  - No construction within 75’ of edge of wetland or river
    - Wetland edge not defined / mapped
    - Needs survey to define edge of wetland.
  - “Meandering” (not straight to water) 6’ wide path permitted.
  - Minimum lot standard 40,000 sq. ft., minimum shore frontage 200ft. (relevant for any building development on parcels 2, 3).
    - Land below the upland edge of a wetland not included toward calculating minimum lot area.
- **Flood zone:**
  - The proposed path trajectory lies within the Megunticook River flood zones. Reference should be made to the Camden Floodplain Management Ordinance.
  - Before building construction or development:
    - Flood Hazard Development Permit required from Code Enforcement Officer (CEO). Fee. Acted upon by Planning Board.
    - Certifications required from surveyor and/or professional engineer/architect.
    - Certificate of Compliance required from C.E.O.

#### **Camden and State Regulations**

According to the Camden Code Enforcement Officer and State environmental regulators, there do not appear to be any roadblocks to the concept of a pathway along the river.

- **Camden Zoning Regulations** applicable to walkways, public access, structures/walkways within Shoreland Areas (Extract from Camden Zoning Regulations, Article X, Part I, Section I, Shoreland Areas):
  - (9) Lots and Structures:

“Stairways or similar structures may be allowed with a permit from the Code Enforcement Officer, to provide shoreline access in areas of unstable soils provided that the structure is limited to a maximum of three feet in width, that the structure does not extend ... over the normal high water line of a water body or upland edge of a wetland (unless permitted by the Department of Environmental Protection pursuant to the Natural Resources Protection Act, Title 38, Section 480-C), and that the applicant demonstrates that no reasonable access alternative exists on the property.”

    - Above regulation implies that DEP would need to be appealed to, to grant a permit for a walkway above a wetland or over the river.
  - (13) Subdivision of Land, public access:

“The subdivision of land containing less than 750 feet of shoreline and within the 250 feet shoreland area, must provide at least one right-of-way 25 feet in width to water for community use. The subdivision of 750 feet or more of shoreline must provide a 50 foot right-of-way to water for community use for each 750 feet of shoreline.”

(14) Clearing of Vegetation for Development

(b) 1. "...a footpath not to exceed ten (10) feet in width and measured from trunk to trunk and created such that a cleared line of sight to the water is not created, is permitted. Adjacent to a ... stream or river flowing to a great pond, the width of the footpath shall be limited to six (6) feet in width."

Part II, Section 1., Environmental

(7) Wetlands: "The Code Enforcement Officer may require a certified wetlands plan, performed by a qualified soils scientist at the expense of the applicant for a building or use permit, to be submitted for any activity which takes place on a lot containing a wetlands."

- **Other Camden and/or State Regulations - Refer to:**

- Camden Shoreland Zoning Ordinance:  
Article X, Part I, Section 1, "Shoreland Areas."
- State Shoreland Zoning Program:  
<http://maine.gov/dep/blwq/docstand/szpage.htm>;
  - Bureau of Land and Water Quality, State of Maine, Mandatory Shoreland Zoning: Law primarily administered thru municipality – code enforcement officer = 1<sup>st</sup> point of contact on shoreland zoning issues.
  - State contacts: Shoreland Zoning Unit: 207-287-3901 (Augusta).
  - **Statutory sections.** Title 38, Chapter 3, §§ [435](#)-449.

- **Word from the State Regulators regarding riverside pathway issues:**

- Richard Baker of DEP (conversation 2/09) would not object if the town permitted a pathway because of the public benefit, provided it's in a "developed area," not more than 4-5' wide and set back at least 25' from the water. A boardwalk is permitted through a wetland and the bridge across the river is permitted under Shoreland Zoning.
- Amy Lemelin, re. NRPA standards (conversation 2/09):
  - DEP prefers board walks where the pathway goes through wetlands because it has less impact and allows vegetation to grow.
  - Any activity within a wetland will require a full DEP permit.
    - Cost \$300, Timing appx. 3 months.
  - Any bridge would also require a full permit.
  - A gravel pathway that is more than 25 feet from the water would require only a permit-by-rule (\$55, two weeks to approve).
    - Suggests a pre-application meeting with DEP, at no cost, when plans are further along.

**Liability:**

- Owners of land through which a public access path passes are not liable for any injury or loss resulting therefrom. The same is true if the landowner allows volunteers to maintain or improve the owner's land.
- Ref. Maine State Landowner Liability Law, Title 14, 159-A, "Limited Liability for recreational or harvesting activities"
- Partial quote (159A, 1C): "Permissive use. An owner, lessee, manager, holder of an easement or occupant who gives permission to another to pursue recreational or harvesting activities on the premises does not thereby:
  - A. Extend any assurance that the premises are safe for those purposes;
  - C. Assume responsibility or incur liability for any injury to person or property caused by any act of persons to whom the permission is granted.
- "The law protects landowners so clearly that there is little opportunity for the injured person to win [a lawsuit]. In fact, there has not been a single reported successful case against a landowner where the Maine landowner liability law applied." *Maine Warden Service Landowner Relations Program, re. "Maine Landowner Liability Explained."*

**Issues relating to segments 4-7:**

**Footbridge over Megunticook River:**

- There is a 300' overlap between the property of Segment 3 and the Middle School property across the river.
- Work in conjunction with owners of Segment 3 land, with Middle School, with trail designers and with bridge engineers to site location .
- Footbridge will trigger Site Plan Review by Planning Board. Expense involved.  
Requirements:
  - Engineering Plan
  - Notification of neighbors abutting property
- SAD 28 owns Middle School property
  - Permission required from school district for bridge, pathway
- See pp.9-10 for regulations applicable to construction within the shoreland zone.
- From Floodplain Ordinance: "bridges will meet the standards of Article VI.M.;

**Pathway along Middle School**

- SAD 28 owns Middle School property
  - Permission required from school district for pathway. School Board has voted to approve concept.

**Pathway along Wastewater Treatment Plant**

- Ross Parker, Manager of the Camden Wastewater Treatment Plant, is very supportive of a pathway along the plant property.
- A fence will likely be necessary to separate pathway from Wastewater Treatment facilities.

- Upstream half of WWTP zoned “**Village**,” with 75’ Shoreland setback for construction.
- Downstream half of WWTP property is zoned **B-TR, Business Transition District**, and requires no setback for construction along river.
- WWTP property runs along river side of Lion’s Club property (Lion’s Club property comes to within 15ft of River edge).

**Pathway Continuation to Knowlton St.**

- Landowner Joseph Goudreau (Camden Hills Villa) has expressed interest in providing access along this strip for the pathway.

**Maintenance**

The Camden Parks and Recreation Department, as assigned by the Camden Town Manager and supported by the Select Board, could have primary responsibility for on-going maintenance. The Parks and Recreation Department maintains a variety of appropriate equipment and employs operators well versed and knowledgeable in grounds maintenance techniques. The annual Town Budget will be the source of maintenance funds. In addition, the volunteer community, particularly the Camden/Rockport Pathways Committee, the Camden Conservation Commission, as well as the Friends of Pathways and Riverwalk Coalition, are committed to keeping this Riverwalk maintained and the corridor clear of invasive species.

## ADDENDUM #1

### RESOURCES for RIVERWALK FUNDING, PLANNING AND EXECUTION

**Land for Maine's Future (LMF) Fund** (Four state funding programs. Relevant program for the easement portion of a Riverwalk is):

- **Water Access fund** – “Public Access to Maine Waters Fund”

The Public Access to Maine Waters Fund is designed “to get people to the water.” – by acquiring fee simple or public access rights on small parcels of land to create or enhance access points to lakes, ponds, rivers and coastal waters. Lands for access could ... provide bank fishing ... or other water contact opportunities. Access is primarily intended for general public use....

LMF will pay 50% of value of easement strip.

This fund can help Camden pay for the cost of the easement portion of a property.

Awarding of monies from this fund does not require a competitive bidding process. As of Feb 2012 there were \$1.5 million in the fund (with only one property on the docket). Funds can be made available through an “expedited process” so quick action can be taken: the Board decides on spending in this category.

- There must be a willing seller.
- Project must be consistent with an adopted Comprehensive Plan. Project should be an explicit component of a larger integrated effort by the applicant and municipality to achieve the conservation, recreation, and other goals of the Comprehensive Plan.
- An appraisal by an appraiser whose work is familiar with the Board must be done.
  - Purchase price cannot exceed fair market value as determined by an appraisal.
- A municipality, land trust or other “cooperating entity” can take advantage of the process but must work with the involvement (guidance and support) of a State Agency like the Dept. of Conservation's Bureau of Parks and Lands or the Department of Inland Fisheries and Wildlife.
- LMF contacts:  
Collin Therrien, Senior Planner 624-6213 (LMF Office)  
Tom Miragliuolo – Working Waterfront 624-6214  
<http://www.maine.gov/spo/lmf/docs/2011workbook/2011workbook.pdf> pp. 50-

from **Camden Downtown Master Plan** April 11, 2012:

#### **Funding Strategies**

- Downtown TIF (Camden Downtown Municipal Development and Tax Increment Financing District)

- “Allows for funding for the construction of a riverwalk along the Megunticook River between the tannery site and the downtown. This roughly two mile circle will ultimately connect to the downtown boardwalk paths, the waterfall bridge, and the pathways that skirt the Knox Mill and the tannery sites. The intent of which is to further strengthen pedestrian networks throughout the downtown supporting both the tourist industry as well as providing an amenity for residents. In addition, the Town can incur debt to facilitate riverwalk construction through the issuance of municipal bonds with TIF revenues set-aside and pledged for the relief or payment of the indebtedness. The advantage is that the Town would not have to wait for sufficient TIF revenues to accrue over time before undertaking the riverfront improvements.
- Department of Conservation Bureau of Parks and Land, Recreation Trail Program (RTP) Grants
  - “The proposed riverwalk would be eligible for a Development Grant application for up to \$35,000 with a 20% local cash or in-kind match or other state and local grants, and certain federal grants match. Eligible Development Grant activities include: development or rehabilitation of any trailside or trailhead facility; construction of new recreation trails including new trail bridges and trail signage; acquisition of easement and fee simple title to property for trail purposes, or the creation, expansion, or improved water trails which may include construction/restoration of kiosks/signage.
- Department of Conservation Land and Water Conservation Fund is a federal grant program through the National Park Service (NPS), authorized by Congress to fund on a reimbursement basis up to 50% of allowable costs (maximum grant award is \$75,000 as established by the State) for the acquisition, development, and/or renovation of public outdoor recreation facilities.
- National Park Service’s (NPS) Rivers Trails and Conservation Assistance (RTCA) located in Brunswick, Maine. RTCA often acts as a catalyst to help assemble the necessary pieces of a river trail planning project, helping to identify resources, navigate the planning process, and convert ideas into actions. Program staff can provide technical assistance in conceptual planning, organizational development, grant research and writing assistance, and capacity building at no cost.
  - This program is providing consultation level support to the Camden Riverwalk in the 2012 Fiscal Year.
- Maine DOT Quality Community Program: federal and state funding opportunities to improve community transportation facilities.
  - Transportation Enhancement Program (80:20)
  - Safe Routes to School Program (up to 100% funding).
- Maine Downtown Network designation (July 2012): Maine Development Foundation assistance in pursuing goals of MDN, including “Design: Sidewalks and Trails;... access to ... River Trails”



- Maine Conservation Corps: “Offers Trail Planning assistance to (Federal, State,) Municipal and Non-Profit agencies engaged in trail development, construction, reconstruction or maintenance.” <http://www.maine.gov/doc/parks/mcc/>
  - Provides services at very reasonable rates for trail design, layout, time & cost estimates & actual construction including boardwalks in sensitive areas and footbridges.
  - Contracts for construction teams for trail construction at minimal cost.
  - Among other project types, MCC constructs surfaced trails suitable for wheelchair use; builds bog bridges in wetland areas.
  - MCC has been involved with the Riverwalk Coalition in planning the Tannery site / Section 1 and will be contracted to do the construction of the trail when funds become available.
  - MCC has walked Sections 3 and 5 with a Pathways Committee representative and Camden Recreation Department head Jeff Kuller, to provide input on possible siting, layout and pricing of the trail and bridge.

- ft of the side lot line, but beyond the 75ft river setback.
  - 30% maximum expansion rules apply; no closer to lot line.
- Commercial building conforms to present zoning location requirements.
  - Conforms to river and side lot line setback requirements.
  - See Camden Zoning Ordinance, Article VI, Nonconformance.
- Building relocation option:
  - Any building on lot may be relocated within the property provided it is moved to a conforming location (beyond 75ft of river or wetland edge, 10ft of side lot line and 15ft of front lot line.)
  - Requires review by Zoning Board of Appeals
- Business use falls within “Low Impact Use” zone (within 500ft. of a business district – BR and B-4), so “Village” zone uses are loosened.
  - See Zoning Ordinance Article VIII, Section 7 C (10), p. 75; Article VII, Section 4 (9), p. 46, “Special Criteria for Low Impact Uses.”
  - Building with business must also include a dwelling unit. Owner not required to live there.
  - Business may not be open after 8pm.
  - Zoning does permit an average of 20 “vehicular trip ends”/weekday
  - Parking requirements: business may require no more than five parking spaces (in addition to residential spaces).
  - Shipments made or received to maximum of 5x/week.
  - Change in use of structure (residence to business) requires permission of Zoning Board of Appeals.
  - Board will review potential adverse impacts of change.
- “Teahouse” use is permitted by zoning.
  - Customer tables outside or on unenclosed porch will require granting of a variance from the Zoning Board of Appeals.
  - Variance, when granted, must be legally recorded.
  - Variance runs with the land.
- Residency:
  - Person who runs business does not have to live there (may rent out residential area or other portion for residence)
- Barn:
  - Can be turned into an accessory apartment, if accessory apartment is used by someone who uses it as their primary residence (> 6 mo/year).
  - Cannot combine non-owner resident with “accessory apartment” use.
  - If an accessory apartment is built/used, the owner must live in primary residence.
  - User of accessory apartment does not need to be related to owner.
- Shoreland Zoning requirements - Property falls within “Shoreland Zoning”
  - No construction within 75’ of river.
  - No expansion closer to river than existing structure.
- House is “non-conforming” because within 75’ of river, so:
  - Only 30% expansion of house permitted.
  - Expansion based on combination of floor area and volume.
  - Patio, even flagstone, is counted as “construction” in 30%.

- Deck/porch expansion permitted if towards street rather than towards river. Counted in 30% calculation.

**COMPARABLE to 65 Rawson Ave.**

Directly across the river: Map 114, Lot 9; **67 Rawson Avenue.**

Purchased 10/28/05 by Hedley Logan, \$194,000

On market for 1.5 – 2 years. Initially listed at \$295,000.

Zone B-4.

Falls within Shoreland Zone.

Land: 0.70 acres, land assessed value \$61,000.

Approx. same length river frontage; narrower lot.

Flood plain:

Land floods, esp. back portion of lot (appx 90%).

Appx. 60% of land lies in 100yr flood plain (not including house, barn)

½ house, 1/3 barn lie in 500yr. flood plain.

House: 2 story, 3BR, 1 ½ bath, 1,464 sq.ft. living space. Built 1927. Heat: Oil fired forced hot air

Replacement cost less depreciation (2012) assessed at: \$126,900;

Barn: 1 1/2 story, 832 sq.ft., appraised value (2008) \$6700; (2012 – post improvements) @ \$15,000.

Total Assessed property value (at time of sale, 2005): \$189,300. Sale price in 2005 was 102.5% of assessed value.

Improvements have been made since that time.

2012 Assessed & Appraised values: \$202,900.

$\$202,900 / 0.93 = \mathbf{\$218,172 = \text{approximate sale value 2012.}}$

*8/2012 – Camden Assessor's Office considers Camden assessed values in 2012-13 to represent approximately 93% of typical sale price.*

The most recent revaluation for the purposes of property tax assessments was April 1, 2004.